

PB# 95-13

SWORD ASSOCIATES

24-3-5, 6, 7 & 8

Sword Associates, Inc.
Parkway Drive (Hildreth) L.L. Chg.

95- 13

Approved 5/3/95

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

14809

Received of Sword Associates, Inc. April 7 19 95 \$ 50.00

Fifty and 00/100 DOLLARS

For Planning Board Application Fee # 95-13

DISTRIBUTION

FUND	CODE	AMOUNT
<u>CE # 334</u>		<u>\$50.00</u>

By Dorothy H. Hansen

Town Clerk

Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Planning Board
Town Hall

555 Union Ave.

New Windsor, N.Y. 12553

NO. 95-13

RECEIVED FROM Sword Associates

Four Hundred 00/100 DOLLARS

L.L. Change Escrow

Account Total \$ 400.00

Amount Paid \$ 400.00 CK # 335

Balance Due \$ -0- Myra Mason, Secy to the P.B.

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

Bappito

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

14868

Received of Richard M. Shulkin April 28 19 95 \$ 100.00

One Hundred and 00/100 DOLLARS

For Planning Board Approval Fee # 95-13

DISTRIBUTION

FUND	CODE	AMOUNT
<u>CK # 1667</u>		<u>\$100.00</u>

By Dorothy H. Hansen

Town Clerk

Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

95-13

Map Number #68-95
Section 24 Block 3 Lot 5, 6, 7, 8 City [X] Town [X] Village [X] N. Wards

Title: Sword Associates Inc.
* lot line chg

Dated: 4-13-95 Rev Filed 5-5-95

Approved by Henry Van Heerden
on 5-3-95

Record Owner Charles & Anna S. Johnson

(1 Sheet)

JOAN A. MACCHI
Orange County Clerk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/28/95

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 95-13

NAME: SWORD ASSOCIATES, INC. LOT LINE CHANGE
APPLICANT: SWORD ASSOCIATES, INC.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
04/05/95	REC. CK. #335	PAID		400.00	
04/12/95	P.B. ATTY. FEE	CHG	35.00		
04/12/95	P.B. MINUTES	CHG	22.50		
04/26/95	P.B. ENGINEER	CHG	82.50		
04/28/95	RET. TO APPLICANT	CHG	260.00		
		TOTAL:	400.00	400.00	0.00

*Please issue a check in the
amount of \$260.00 to:*

*Sword Associates, Inc.
54-150 Old Rt. 9W
New Windsor, N.Y. 12553*

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/04/95

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 95-13

NAME: SWORD ASSOCIATES, INC. LOT LINE CHANGE
APPLICANT: SWORD ASSOCIATES, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
05/03/95	PLANS STAMPED	APPROVED
04/18/95	APPROVED BY HIGHWAY SUPERINT.	CONDITION MET
04/12/95	P.B. APPEARANCE . APPROVED CONDITIONAL UPON HIGHWAY DEPT. APPROVAL	LA:ND WVE PH APP CON
04/05/95	WORK SESSION APPEARANCE	SUBMIT APPLICATION

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/04/95

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 95-13

NAME: SWORD ASSOCIATES, INC. LOT LINE CHANGE
APPLICANT: SWORD ASSOCIATES, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	04/07/95	MUNICIPAL HIGHWAY	/ /	
ORIG	04/07/95	MUNICIPAL WATER . CONTACT WATER DEPT. FOR WATERLINE MARK OUT	04/11/95	APPROVED
ORIG	04/07/95	MUNICIPAL SEWER	/ /	
ORIG	04/07/95	MUNICIPAL FIRE	04/10/95	APPROVED
ORIG	04/07/95		/ /	
ORIG	04/07/95		/ /	
REV1	04/18/95	MUNICIPAL HIGHWAY	04/17/95	APPROVED

LOT LINE CHANGE FEES - TOWN OF NEW WINDSOR

APPLICATION (INCL. LOT LINE CHANGE):

LOT LINE CHANGE APPLICATION FEE \$ 50.00

ESCROW (\$150.00 - \$400.00) \$400.00

* * * * *

APPROVAL FEES: (LOT LINE CHANGE)

PRE-PRELIMINARY PLAT APPROVAL.....\$ 25.00

PRELIMINARY PLAT APPROVAL.....25.00

FINAL APPROVAL.....50.00

TOTAL APPROVAL FEES L.L.CHG....\$100.00

* * * * *

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES:\$ 82.50

PLANNING BOARD ATTORNEY FEES:\$ 35.00

MINUTES OF MEETINGS\$ 22.50

OTHER\$ -

TOTAL TO BE DEDUCTED FROM ESCROW: \$ 140.00

Return to Applicant

\$260.00

RESULTS OF P.B. MEETING

DATE: April 12, 1995

PROJECT NAME: Sword Associates L.L.C. PROJECT NUMBER 95-13

*

LEAD AGENCY:

* NEGATIVE DEC:
*

M) D S) V VOTE: A 4 N 0

* M) D S) V VOTE: A 4 N 0
*

CARRIED: YES ✓ NO

* CARRIED: YES: ✓ NO
*

PUBLIC HEARING: M) V S) D VOTE: A 4 N 0

WAIVED: YES ✓ NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) V S) D VOTE: A 4 N 0 APPR. CONDITIONALLY: 4/12/95

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Need Hwy approval

SWORD ASSOCIATES LOT LINE CHANGE (95-13) PARKWAY DRIVE

William Hildreth of Grevas & Hildreth appeared before the board for this proposal.

MR. HILDRETH: What we have is some property on the northwest corner of Spruce Street and Parkway Drive. It consists of four vacant subdivision lots created back in the 40's as part of the East Windsor Park subdivision. They have been under single ownership since then and undeveloped and obviously they don't conform to zoning, since a building permit was never applied for since the zoning changed but now those four lots are substandard. So what the proposal for the lot line change is to turn those four into three, those will now comply. Water and sewer is available.

MR. VAN LEEUWEN: What you're looking for is simple lot line change?

MR. HILDRETH: All of the bulk requirements, the minimum requirements are at least met or exceeded. Lot number 2 is a minimum size but it's relatively rectangular which is easier to build on. Lot 3 is, 3 is 21 square feet over what the minimum is, an excess was put into lot one because lot one is a corner lot, has a lot of road frontage. So we made that the largest lot we could. One of the changes I want to point out to you is that has to be made, there's a radius at the intersection called for in the deeds that wasn't picked up originally so the final lot is going to look like this and lot one is going to be about 52 square feet smaller than it is right now but it still complies.

MR. PETRO: So you are taking a bad situation and making it better, is what it looks like?

MR. HILDRETH: Well, we're making four non-conforming lots into three conforming lots and also by making this a little bit larger size, they'll accommodate the kinds of houses that people are building and buying these days, the smaller lots they had to come up with something special for the lots to meet the setbacks.

MR. PETRO: It's in the correct zone, R4?

MR. HILDRETH: Yes.

MR. VAN LEEUWEN: I make a motion we approve it.

MR. PETRO: Also I wanted Andy to address Mark's comment 1B, verify that this application should be handled as a lot line change because three of the lots do have one tax bill.

MR. HILDRETH: No, they all have separate tax bills.

MR. EDSALL: One deed but it's still reflected as three tax lots and to be very candid, I made that comment so you'd know what to call it. But you can accomplish the same thing whichever way you consider it.

MR. PETRO: Lot line change, in my opinion.

MR. KRIEGER: No, I'm trying to--

MR. PETRO: We'll go on.

MR. DUBALDI: Make a motion we take lead agency under the SEQRA process.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency to the Sword Associates lot line change on Spruce Street and Parkway Drive. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. PETRO: This is an R-4 zone, there are presently four lots that are approved there and we're bringing it down to three and in light of that, it would be my

opinion that a public hearing is not necessary.

MR. VAN LEEUWEN: I make a motion that we waive public hearing. We normally don't have public hearings on lot line changes.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing under its discretionary judgment for Sword Associates lot line change. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. VAN LEEUWEN: My motion still stands. Did you check that out for separate deeds, one deed with four lots or 4 tax lots?

MR. DUBALDI: I make a motion we declare negative dec.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec on the under the SEQRA process for Sword Associates lot line change on Spruce and Parkway. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE

MR. VAN LEEUWEN: My motion still stands subject to the property being under one deed.

MR. KRIEGER: I think it's pretty clear that these were intended to be always intended to be separate lots and the fact that this, they are in single ownership alone doesn't make them one lot. The question is whether or not there was an intention on the part of the owner at any point during the ownership when you would go back to when they became four lots. The question is whether there was an intent to treat them as a single lot and I don't see anything here that indicates to me that such an intent could be supported. And it looks to me as if it was intended, always intended to be separate lots.

MR. HILDRETH: Pay separate tax bills for 45 years.

MR. DUBALDI: On this wisdom, I'll make the motion.

MR. PETRO: We haven't received anything back and that brings us to note number 3, which we need to have the culverts underneath the driveway shown.

MR. HILDRETH: There's an existing culvert across Parkway Drive here and there's a bit of a swale from that point west, so when these driveways are put out, they may require some kind of culvert to maintain the drainage. I believe that is something that can be handled at either building permit application.

MR. EDSALL: I would suggest you just add that note.

MR. HILDRETH: I can put a note.

MR. PETRO: We also need the approval from the highway department, so his approval would contain that information one way or the other.

MR. VAN LEEUWEN: I'll make my motion subject to highway department approval.

MR. PETRO: We have fire approval on 4/10/95 and water and sewer approval.

MR. DUBALDI: So the only approval would be the highway?

MR. PETRO: Only one.

MR. DUBALDI: Second the motion, re-second my motion.

MR. PETRO: Motion has been made and seconded that the new Windsor Planning Board give final approval to Sword Associates lot line change on Spruce and Parkway, subject to hearing back from the New Windsor Highway Department and everything is in order. And his wishes shall be reflected on the map. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: SWORD ASSOCIATES LOT LINE CHANGE
PROJECT LOCATION: SPRUCE STREET AND PARKWAY DRIVE
SECTION 24-BLOCK 3-LOTS 5, 6, 7 AND 8
PROJECT NUMBER: 95-13
DATE: 12 APRIL 1995
DESCRIPTION: THE APPLICATION PROPOSES A LOT LINE CHANGE FOR
THE REFERENCE LOTS, TO REVISE FOUR (4) TAX LOTS TO
THREE (3) SINGLE-FAMILY RESIDENTIAL LOTS.

1. On the surface, this proposed action would appear to improve the situation by eliminating four (4) non-conforming lots and creating three (3) conforming lots.

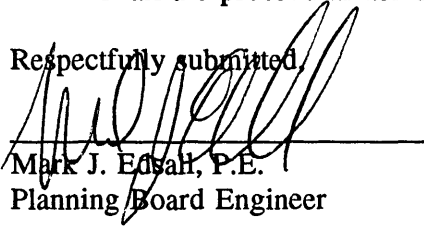
It is my understanding that the lots currently exist as individual tax lots, although three (3) of the lots are included in one (1) deed. The Planning Board Attorney should verify that this application should be handled as a lot line change.
2. Each of the lots, as proposed, appears to comply with the minimum bulk requirements for the R-4 Zoning District.
3. The plan should include a notation relative to culverts under the proposed driveway, along Parkway Drive. The note could indicate that "driveway culverts will be provided per the requirements of the Town Highway Superintendent".
4. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
5. The Planning Board should determine if a **Public Hearing** will be necessary for this **minor subdivision in form of lot line change**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: SWORD ASSOCIATES LOT LINE CHANGE
PROJECT LOCATION: SPRUCE STREET AND PARKWAY DRIVE
SECTION 24-BLOCK 3-LOTS 5, 6, 7 AND 8
PROJECT NUMBER: 95-13
DATE: 12 APRIL 1995

6. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
7. At this time, I am aware of no reason why this plan could not be considered for approval, if all the procedural items noted above are resolved.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:SWORD.mk

P.B. #95-13 Escrow

SWORD ASSOCIATES, INC.

335

PAY
TO THE
ORDER OF

Turn of New Windsor

Mar 28 19 *95*

50-485
219

\$ *400.00*

Four Hundred & 00/100

DOLLARS

The Fishkill National Bank

200 MAIN STREET
BEACON, N.Y. 12508

FOR

Richard S. Shulka

⑈000335⑈ ⑆021904855⑆ ⑈1 2 6635 2⑈

This Indenture

Made the 15th day of May Nineteen Hundred and forty-eight,

~~Between~~ PETER M. OLYMPIA, residing at 188 Gidney Avenue,
~~known by his last name as Peter M. Olympia, Newburgh, New York, and~~
FRANK A. CATANZARITI, residing at Bay View Avenue,
Cornwall, New York, (no street number)

parties of the first part, and

CHARLES C. JOHNSON and ANNA S. JOHNSON, his wife,
both residing on Spruce Street, (no number), Town of New Windsor,
County of Orange, State of New York,

parties of the second part,

~~Witnesseth~~ that the parties of the first part, in consideration of
----- T E N ----- Dollar
(\$10.00-----) lawful money of the United States, and other good and
valuable consideration paid by the parties of the second part,
do hereby grant and release unto the parties of the second part, their
heirs and assigns forever, all that certain lot or parcel of
land with the improvements thereon situated, lying and being in the Town
of New Windsor, County of Orange, State of New York, being known and
designated on a certain map being titled "East Windsor Park, Section 2,
located in the Town of New Windsor, Orange County, New York," and filed
in the Office of the Clerk of the County of Orange on the 18th day of
July, 1947, as and by lots numbers 74, 75, and 76, which said lots are
more particularly described as follows:

BEGINNING at a point where the north line of Park Way Drive inter-
sects the west line of Spruce Street and running in a northerly direction
along the west line of Spruce Street 165.23 feet to a point; thence
turning and running in a westerly direction 190 feet to a point; thence
turning and running in a southerly direction along the easterly line of
Lot No. 77, 150 feet to the northerly line of Park Way Drive; thence
turning and running along the northerly line of Park Way Drive in an
easterly direction 259.31 feet to the point or place of beginning,
excepting that; at the point of beginning and ending of the above des-
cription there shall be a curved radius 15 feet in from said point so as
to permit a rounded curve between Spruce Street and Park Way Drive.

Being a portion of the premises conveyed to Frank A. Catanzariti
and Peter M. Olympia by deed dated December 16th, 1944 and recorded in
the Office of the Clerk of Orange County on December 20th, 1944 in Liber
948 of Deeds at Page 93.

THE FOLLOWING COVENANTS, RESTRICTIONS AND RESERVATIONS ARE TO RUN
WITH THE LAND:

1. That neither the said parties of the second part nor their
heirs or assigns shall or will erect upon any portion of the aforesaid
premises any building, except a private automobile garage as provided for
in the next paragraph, other than a detached dwelling house costing not
less than \$4,500.00 and the first floor of said dwelling, when so erected
shall have an area of not less than 700 feet and such dwelling shall not
be constructed of exposed concrete blocks above the foundation thereof.
2. That neither the parties of the second part, nor their heirs
or assigns, shall or will erect more than one such dwelling and a private
automobile garage, large enough to accommodate not more than two auto-
mobiles on any one lot as laid out on the aforesaid map provided that
every part of such garage when erected shall be at the rear of the dwelling
house and that no portion of said garage shall be closer to the road or

street than is the rear of the dwelling house and in the case of a corner lot, no portion of said garage shall be closer than 40 feet to the line of the street at the side of said lot.

3. That neither the parties of the second part, nor their heirs or assigns shall or will build a garage in the basement of any dwelling or permit the basement of any dwelling to be used as a garage without the written permission of Peter M. Olympia, his heirs or assigns.

4. That neither the parties of the second part, nor their heirs or assigns, shall or will erect or permit upon any portion of said premises any dwelling, the main front foundation wall of which is less than 40 feet or more than 40 feet from the line of the street on which the lots front and the nearest side foundation wall of which is less than 40 feet from the line of any side street.

5. That neither the parties of the second part, nor their heirs or assigns, shall or will manufacture or sell or cause to be manufactured or sold on any portion of the premises hereby conveyed any goods or merchandise of any kind and will not carry on or permit to be carried on on any part of said premises any trade or business whatsoever.

6. That no public or private nuisance shall be maintained on said premises, and a nuisance shall be construed to cover any premises which are unsightly, which are not in keeping with, and which are a detriment to the general appearance of the neighborhood. In this connection, the storage of any objects or material on the premises shall be considered a nuisance.

7. That neither the parties of the second part, nor their heirs or assigns shall keep or permit any animals or birds excepting an ordinary and reasonable number of household pets upon the property hereby conveyed.

8. No trailer, basement, tent, garage, or other outbuildings erected on said premises shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be erected or used as a residence.

9. No persons of any race other than the Caucasian race shall use or occupy any building or any lot, except that this covenant shall not prevent occupancy of domestic servants of a different race domiciled with an owner or tenant.

10. That neither the parties of the second part, nor their heirs or assigns, shall or will cause or permit to be erected any fences except hedge rows or shrubbery, except with the permission of the seller.

11. That said premises are sold and conveyed to the parties of the second part, their heirs or assigns, subject to the provisions, that when constructed, the well shall be located and the sewage disposal system installed as shown on the map entitled East Windsor Park, Section 2 bearing the approval of the New York State Department of Health, under date of June 9th, 1947, pursuant to Section 89 of the Public Health Law.

12. That said premises are sold and conveyed to the parties of the second part, their heirs and assigns, subject to all lawful rules, regulations, conditions and restrictions of the Town, County, State and Federal Governments.

13. That no house shall be built upon any lot, except that same must be equi-distant from each side line of said lot, or in the event that the said premises are being built on two lots, the same must be equi-distant from the side lines of the entire area of said lots.

14. That the seller reserves for himself, his heirs and assigns the top of the street upon which the premises above fronts and all franchise rights therein granting to the purchaser only a right of access thereover.

15. The seller reserves for himself, his heirs and assigns the right to discontinue the whole or any part of any street upon and in said development or to change its location or course provided, however, that the seller shall not discontinue, alter or change the direction of said streets so that any lot heretofore sold shall be in any way changed as to boundaries or superficial area nor deprive the owners thereof of access to a public highway.

16. The seller reserves for himself, his heirs and assigns the right to maintain a guy wire on the premises herein sold for any electric or telephone pole grants of record.

17. The seller reserves unto himself, his heirs and assigns, the right to round out the southeast corner of lot No. 74 with a 15 foot radius.

18. Invalidity of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

The covenants are to run with the land, except, however, it is mutually understood and agreed that the above covenants and restrictions or any of them may be altered or annulled at any time by written agreement by and between the parties of the first part, his successors or assigns, and the owner for the time being of any parcel upon which it is mutually agreed to alter or annul said covenants or restrictions, and such agreement shall be effectual to alter or annul said consent of the owner, or owners of any adjacent premises. Nothing herein contained shall be construed nor shall there be any obligation upon the party of the first part, his successors or assigns to restrict the party of the first part, his successors or assigns to restrict in any manner any other premises now or hereafter owned by the party of the first part, his successors or assigns.

TAX LOT 8 L 11249402

L 11249402

402

FORM 691 12. N. 6000. Post Government with Eden, Germany.
(LAW OF 1917, Chap. 631, Statute, Part A, Chap. 607, Laws of 1917)TATLARK HIGH SCHOOL OFFICE
1000 LAWYER BUILDING

This Indenture

Made the 5th day of June Nineteen Hundred and Forty-nine

Between JOSEPH BROZOK and BARBARA BROZOK, husband and wife, residing at (no street or number) MD 25, New Windsor, Orange County, New York.

part 1st of the first part, and
CHARLES C. JOHNSON and ANNA S. JOHNSON residing at (no number) Spruce Street in the Town of New Windsor, County of Orange and State of New York.

part 1st of the second part.
Whereas, the part 1st of the first part, in consideration of
TEN - \$10.00 - dollars
(\$10.00 -) lawful money of the United States, and other good and valuable considerations paid by the part 1st of the second part,
do hereby grant and release unto the part 1st of the second part, their

heirs and assigns forever, all that certain lot or parcel of land with the improvements thereon situated, lying and being in the Town of New Windsor, County of Orange, State of New York, being known and designated on a certain map being titled "New Windsor Park, Section 2, located in the Town of New Windsor, Orange County, New York" and filed in the Office of the Clerk of the County of Orange on the 15th day of July, 1947, as and by Lot No. 72, and which said map was made by Theodore Lazear, E.S.

BEING a portion of the premises conveyed to Frank A. Catanzariti and Peter M. Olympia by deed dated December 16th, 1944 and recorded in the Office of the Clerk of Orange County on December 10, 1944 in Liber 946 of Deeds at page 93.

BEING and intended to be the same premises conveyed by Peter M. Olympia and Frank A. Catanzariti to Joseph Brozok and Barbara Brozok, by deed dated August 10th, 1948 and intended to be recorded in the Office of the Clerk of the County of Orange simultaneously herewith, together with the rights and subject to the covenants and restrictions contained in the last mentioned deed.

**PREVIOUS
DOCUMENTS
IN POOR
ORIGINAL
CONDITION**

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM



1763

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **95- 13**

DATE PLAN RECEIVED: 4-17-95

The maps and plans for the Site Approval _____

Subdivision L.L. Chg. as submitted by

Sword Assoc. for the building or subdivision of

_____ has been

reviewed by me and is approved ☒

disapproved _____

If disapproved, please list reason _____

15208 [Signature] 4/18/95
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

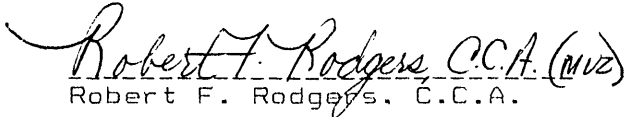
TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 10 April 1995
SUBJECT: Sword Associates, Inc.

Planning Board Reference Number: PB-95-13
Dated: 5 April 1995
Fire Prevention Reference Number: FPS-95-023

A review of the above referenced subject lot line change was conducted on 10 April 1995.

This lot line change is acceptable.

Plans Dated: 27 March 1995


Robert F. Rodgers, C.C.A.

RFR/mvz



1765

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **95- 13**

DATE PLAN RECEIVED: **RECEIVED APR - 5 1995**

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Sword Assoc. _____ has been

reviewed by me and is approved ☒

disapproved _____

~~If disapproved, please list reason~~ _____

Contact water dept. for water line mark-out-

HIGHWAY SUPERINTENDENT DATE

James D. Du CAMO **4-11-95**

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor

P/B # 95-13

WORK SESSION DATE: 5 Apr 95

APPLICANT RESUB.
REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Sword Assoc Inc.

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Bill Hildner

MUNIC REPS PRESENT: BLDG INSP. in bldg
FIRE INSP. John
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- + submit deeds for all lots.
- + trying for 4c change
- + 3 lots in one deed - combined description
- 1 lot in another deed
- creating 3 lots from 4.
- R-4 - bulk GLC
- skip - drainage pipes - add note driveway culverts to be provided for reject super

next avail agenda

4MJ91 pbwsform



TOWN OF NEW WINDSOR

95-13

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD

176 TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Chg. ☒ Site Plan _____ Spec. Permit _____

1. Name of Project SWORD ASSOCIATES, INC. LOT LINE CHANGE
2. ^{CONTRACT VENDEE:} Name of Applicant SWORD ASSOCIATES, INC. Phone 565-1900
ATT: DICK SHULKIN
Address 54-150 OLD RT. 9W NEW WINDSOR N.Y. 12553
(Street No. & Name) (Post Office) (State) (zip)
3. Owner of Record CHARLES C. JOHNSON & ANNA S. JOHNSON Phone 561-5346
Address 230 SPRUCE STREET NEW WINDSOR N.Y. 12553
(Street No. & Name) (Post Office) (State) (zip)
4. Person Preparing Plan GREVAS & HILDRETH, L.S., P.C.
Address 33 QUASSAICK AVENUE NEW WINDSOR N.Y. 12553
(Street No. & Name) (Post Office) (State) (zip)
5. Attorney DAN BLOOM Phone 561-6920
Address 530 BLOOMING GROVE TURNPIKE NEW WINDSOR N.Y. 12553
(Street No. & Name) (Post Office) (State) (zip)
6. Person to be notified to represent applicant at Planning Board Meeting GREVAS & HILDRETH, L.S., P.C. Phone 562-8667
(Name)
7. Project Location: On the NORTH side of PARKWAY DRIVE (street)
AND ~~foot~~ WEST SIDE of SPRUCE STREET
(direction) (street)
8. Project Data: Acreage of Parcel 1.05 Zone R4,
School Dist. NBCSD
9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y _____ N X

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 24 Block 3 Lots 5,6,7,8

11. General Description of Project: LOT LINE CHANGE COMBINING
FOUR EXISTING VACANT NON-CONFORMING LOTS INTO THREE
CONFORMING RESIDENTIAL LOTS

12. Has the Zoning Board of Appeals granted any variances for this property? yes X no.

13. Has a Special Permit previously been granted for this property? yes X no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

28th day of March 1995

Richard Shulkin
Applicant's Signature

Delia Sifre

Notary Public

DELIA SIFRE
Notary Public, State of New York
Qualified in Ulster County
Commission Expires October 31, 1996
Reg. # 03-7707325

TOWN USE ONLY:

RECEIVED APR - 5 1995

Date Application Received

95 - 13

Application Number

If Applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD
~~SUBDIVISION~~/LOT LINE CHANGE CHECKLIST

I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1. ✓ Environmental Assessment Statement
- *2. ✓ Proxy Statement
3. ✓ Application Fees
4. ✓ Completed Checklist

II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1. ✓ Name and address of Applicant.
- *2. ✓ Name and address of Owner.
3. ✓ ~~Subdivision~~ ^{Lot Line Change} name and location.
4. ✓ Tax Map Data (Section-Block-Lot).
5. ✓ Location Map at a scale of 1" = ~~2,000~~ ^{1,000} ft.
6. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
7. N/A Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8. ✓ Date of plat preparation and/or date of any plat revisions.
9. ✓ Scale the plat is drawn to and North Arrow.
10. ✓ Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11. ✓ Surveyor's certification.
12. ✓ Surveyor's seal and signature.

*If applicable.

13. ✓ Name of adjoining owners.
14. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- *15. N/A Flood land boundaries.
16. N/A A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17. ✓ Final metes and bounds.
18. ✓ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
19. N/A Include existing or proposed easements.
20. ✓ Right-of-Way widths.
21. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22. ✓ Lot area (in square feet for each lot less than 2 acres).
23. ✓ Number the lots including residual lot.
24. N/A Show any existing waterways.
- *25. N/A A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26. ✓ Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27. ✓ Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28. ✓ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

*If applicable.

29. N/A Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30. N/A Provide "septic" system design notes as required by the Town of New Windsor.
31. ✓ Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32. ✓ Indicate percentage and direction of grade.
33. ✓ Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34. ✓ Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35. N/A Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. N/A Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
37. N/A A Disclosure Statement, in the form set below must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: William B. Theobald L.S.
Licensed Professional

Date: 28 MARCH 1995

"XX"

APPLICANT'S PROXY STATEMENT
(for professional representation)

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

SWORD ASSOCIATES, INC., deposes and says that they
(Applicant)

reside at 54-150 OLD RT. 9W NEW WINDSOR
(Applicant's Address)

in the County of ORANGE

and State of NEW YORK

and that they ^{are} ~~is~~ the applicant for the SWORD ASSOCIATES, INC.

LOT LINE CHANGE
(Project Name and Description)

which is the premises described in the foregoing application and
that they ^{have} ~~has~~ authorized GREVAS & HEDRETH, L.S., P.C.
(Professional Representative)

to make the foregoing application as described therein.

Date: MAR 29, 1995

Richard Shulh
(Owner's Signature)

Robert J. Shulh
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

"XX"

OWNER'S
~~APPLICANT'S~~ PROXY STATEMENT
 (for professional representation)

for submittal to the
 TOWN OF NEW WINDSOR PLANNING BOARD

CHARLES JOHNSON, deposes and says that he
~~(Applicant)~~ OWNER
 resides at 230 SPRUCE STREET NEW WINDSOR
 (Applicant's Address)
 OWNER'S
 in the County of ORANGE
 and State of NEW YORK
 and that he is the ~~OWNER OF~~ TAX MAP SECTION 24
BLOCK 3 LOTS 5, 6, 7 & 8
~~(Project Name and Description)~~

which is the premises described in the foregoing application and
 that he has authorized SWORD ASSOCIATES, INC.
~~(Professional Representative)~~
 APPLICANT / CONTRACT VENUEE
 to make the foregoing application as described therein.

Date: 4/4/95

X Charles Johnson
 (Owner's Signature)

X John K. Del Duca
 (Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
 THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
 AND/OR OWNER AT THE MEETINGS.

ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

THIS PROPERTY IS NOT LOCATED IN A FLOOD ZONE

William B. Aldred, L.S.

28 MARCH 1995

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

95-13

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>SWORD ASSOCIATES, INC.</u>	2. PROJECT NAME <u>SWORD ASSOCIATES, INC. LOT LINE CHANGE</u>
3. PROJECT LOCATION: Municipality <u>TOWN OF NEW WINDSOR</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>AT THE NORTHWEST INTERSECTION OF PARKWAY DRIVE AND SPRUCE STREET</u> <u>TAX MAP SECTION 24 BLOCK 3 LOTS 5, 6, 7 & 8</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>COMBINING FOUR EXISTING VACANT NON-CONFORMING LOTS INTO THREE CONFORMING RESIDENTIAL LOTS</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.05</u> acres Ultimately <u>1.05</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No <u>N/A</u>	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>SWORD ASSOCIATES, INC.</u>	Date: <u>28 MARCH 1995</u>
Signature: <u>William B. Wilentz, L.S. (PREPAPER)</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

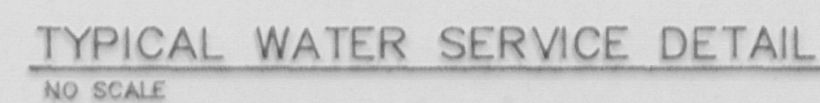
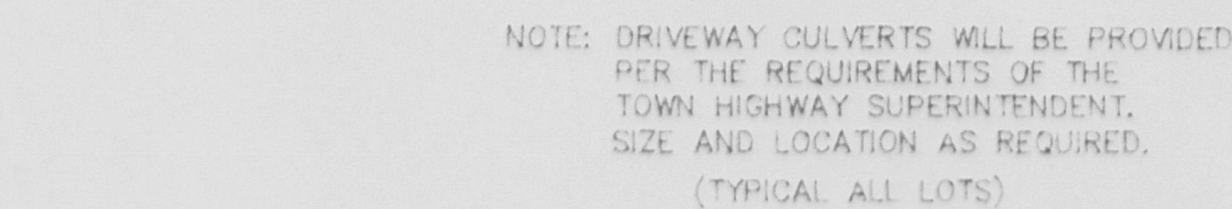
PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 8 NYCRR, PART 817.127 If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 8 NYCRR, PART 817.87 If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:	
C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

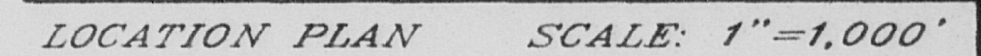
PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
_____ Name of Lead Agency	
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from responsible officer)
_____ Date	



* Requirements to be met at time of Building Permit Application



- ## NOTES

1. Being a proposed development of lands shown on the Town of New Windsor Tax Maps as Section 24 Block 3 Lots 5,6,7 and 8. Said lots also known as Lots 74,75,76 and 77 as shown on a map entitled "East Windsor Park Section 2", said map having been filed in the Orange County Clerk's Office on 18 July 1947 as Map No. 1343.
Deed of Record: Liber 1089 Page 41 (Tax Lots 5,6 and 7)
Liber 1124 Page 402 (Tax Lot 8)
2. Owner: Charles C. Johnson and Anna S. Johnson
230 Spruce Street
New Windsor, New York 12553

Applicant/
Contract Vendee: Sword Associates, Inc.
54-150 Old Rt. 9W
New Windsor, New York 12553
3. Sanitary Sewage Disposal
and Water Supply: Town of New Windsor Municipal Systems
4. Total Parcel Area: 45,664 S.F.; 1.05 Ac.
5. Property Zone: R 4, Single Family Residential Use
6. Total number of lots-after Lot Line Change: 3
7. Boundary and topographic information shown hereon resulted from a field survey completed on 20 March 1995 under the supervision of the undersigned.
8. Elevations shown hereon are random and are not referenced to any known or established elevation datum.
Contour Interval: Two (2) feet
9. Unauthorized alteration or addition to this plan is a violation of Section 7209 (2) of the N.Y.S. Education Law.

OWNERS CONSENT:
I have reviewed this plan and find it acceptable.

Charles Johnson
OWNER

CERTIFICATION

I hereby certify that this plan resulted from an actual field survey of the indicated premises completed on 20 March 1995 performed in accordance with the code of practice adopted by the N.Y.S. Association of Professional Land Surveyors, Inc., and is, to the best of my knowledge and belief, correct.

PLANNING BOARD APPROVAL

LOT LINE CHANGE APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
MAY - 3 1995
ON _____
BY  _____
Henry VanLeeuwen, Secretary



& Grevas LAND SURVEYORS
Hildreth P.C.
33 QUASSAUG AVENUE, NEW HAVEN, NEW YORK 12553
TEL: (814) 562-6067

FOR:

SWORD ASSOCIATES, INC.

N. OF NEW WINDSOR ORANGE COUNTY NEW YORK

LOT LINE CHANGE
FINAL PLAN